

WORK OF THE CONTACT GROUP ON ITEM 3

Sections A & B

11 February 2015@08.20h

A. **[[Preamble]]¹**

[Option 1: {Placeholder for preamble}

Option 2:

[The Parties to this agreement,]

[Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Convention”]

[In pursuit of the [ultimate] objective of the Convention as stated in its Article 2,]

[All Parties to enhance action and cooperate on the basis of equity and common but differentiated responsibilities and respective capabilities to further implement the Convention in order to achieve its objective as stated in its Article 2 in order to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with climate system and to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner, which ensures reliance and adaptive capacity to the adverse effects of climate change, while recognizing the local, national, and global dimensions of adaptation in accordance with the principles and provisions of Articles 3 and 4 of the Convention,]

[Option (a): Being guided by the principles of the Convention as set out in its Article 3, including that Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with historical responsibility, common but differentiated responsibilities and the provisions of Article 4 of the Convention / evolving common but differentiated responsibilities and respective capabilities / evolving economic and emission trends which will continue post-2020, in order to progressively enhance the levels of ambition,

Option (b): In accordance with the principles of the Convention as set out in its Article 3, including in particular that Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with historical responsibility and common but differentiated responsibilities.]

[Option (a): Recalling the provisions of the Convention and determined to further enhance its full, effective and sustained implementation from 2020 through a strengthened multilateral rules-based regime established by this agreement,

Option (b): Reaffirming the provisions of the Convention and determined to strengthen the multilateral rules-based regime under the Convention through its full, effective and sustained implementation from 2020,]

[Also recalling the commitments undertaken by Parties under the Convention in accordance with its Article 4,]

[Acknowledging the role of the Kyoto Protocol,]

¹[Headings and subheadings used throughout these elements for a draft negotiating text are provisional and only intended to orientate the reader.] [This negotiating text reflects work in progress, and is without prejudice to whether the outcome will be a protocol, another legal instrument, or an agreed outcome with legal force, as well as to the legal nature of any particular provision. Inclusion of headings and subheadings are intended to orientate the reader; further, they do not indicate agreement as to the structure or organization of the agreement, or which provisions should appear in the agreement versus in decisions adopted in Paris or thereafter.]

[Further recalling all the existing decisions adopted by the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, including, in particular, the agreed outcome pursuant to the Bali Action Plan and the Doha Amendment,]

[Recalling the outcomes of the Rio+20 Conference, titled “the Future we want”,]

[**Option (a):** Acknowledging that the global nature and urgency of climate change calls for the participation / widest possible participation, cooperation and ambitious action by all Parties,]

Option (b): Acknowledging that the global nature and urgency of climate change calls for the widest possible cooperation of all Parties, as well as their participation and enhanced action in an effective and appropriate international response in accordance with [equity and] their common but differentiated responsibilities and respective capabilities, and their specific national and regional development priorities, [objectives and circumstances / social and economic conditions] with developed country Parties taking the lead,

Option (c): Acknowledging that the global nature and urgency of climate change calls for the widest possible cooperation of all Parties, as well as their participation and enhanced action in an effective and appropriate international response in accordance with their common but differentiated responsibilities and respective capabilities, in light of different national circumstances,]

[Gravely concerned by the IPCC’s finding in its Fifth Assessment Report that it is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century,]

[Recognizing that climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires to be urgently addressed by all Parties, and acknowledging that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions,]

[Being guided by the best available scientific knowledge, including, inter alia, the assessment reports / the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, and inputs and resources from Parties,]

[Noting with grave concern the significant gap between the aggregate effect of Parties’ mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 and aggregate emission pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels,]

[**Option (a):** Recognizing that deep cuts in global greenhouse gas emissions will be required to achieve the ultimate objective of the Convention and the long-term temperature limit / holding the increase in global average temperature, and that such cuts must be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner,

Option (b): Recognizing that deep cuts in global emissions will be required to achieve the ultimate objective of the Convention and emphasizing the need for urgency to address climate change,

Option (c): Noting that the largest share of historical and current global emissions of greenhouse gases has originated in developed countries, that per capita emissions in developing countries are still relatively low and that the share of global emissions originating in developing countries will grow to meet their social and development needs,]

[Recognizing the importance of long-range efforts to transition to low-carbon economies, mindful of the global temperature goal of 2 °C,]

[**Option (a):** Also recognizing that scenarios consistent with a likely chance of holding the global average temperature increase to below 2 °C relative to pre-industrial levels include substantial cuts in anthropogenic greenhouse gas emissions by mid-century and net emission levels near zero gigatonnes of carbon dioxide equivalent or below in 2100,

Option (b): Also recognizing that scenarios consistent with a likely chance of holding the global average temperature increase to below 2 °C or 1.5 °C relative to preindustrial levels include substantial cuts in anthropogenic greenhouse gas emissions by mid-century and zero emissions within the second half of this century,]

[Further recognizing that economy-wide emission reduction budgets provide the highest level of clarity, predictability and environmental integrity,]

[Acknowledging that carbon pricing is a key approach for cost-effectiveness of the cuts in global greenhouse gas emissions,]

[Recognizing the special characteristics of land use systems, including the importance of food security, the diversity of global land management systems, and the need to manage multiple sustainability objectives, may require particular consideration within actions under this agreement,]

[Option (a): Emphasizing that adaptation is a global challenge and a common responsibility that requires global solidarity that must be addressed with the same urgency as, and in political / legal parity with, mitigation,

Option (b): Emphasizing that adaptation is a global challenge that must be addressed with the same urgency as, and in balance with, mitigation, and that enhanced action and international cooperation on adaptation is urgently required in order to enable and support the implementation of adaptation actions [and recognizing that both climate-resilient development and adaptation to the impacts of climate change will be essential],]

Option (c): Emphasizing that enhanced action and international cooperation on adaptation is urgently required to enable and support the implementation of adaptation actions aimed at reducing vulnerability and building resilience in [developing country Parties] [Parties not included in annex X], taking into account the urgent and immediate needs of those [developing countries] [Parties not included in annex X] that are particularly vulnerable,

Option (d): Notes that adaptation is a global challenge that must be addressed with the same urgency as mitigation,]

[Emphasizing that the integral relationship between the level of mitigation action and the efforts of all Parties will be required to adapt to climate change and address loss and damage,]

[Affirming that adaptation needs are a consequence of the temperature rise that results from inadequate mitigation action by all Parties and thus adaptation is a global responsibility,]

[Recognizing that loss and damage associated with the adverse impacts of climate change includes and in some cases involves more than that which can be reduced by adaptation and therefore is distinct from adaptation,]

[Recognizing that the best available science acknowledges that even if warming is kept below 2 °C with high levels of adaptation there will be residual loss and damage, in particular in developing countries,]

[Reaffirming the importance of education, training, public awareness, public participation, public access to information and international cooperation on these matters for promoting changes in lifestyles, attitudes and behaviour needed to foster low-emission and climate-resilient development and to mobilize public support for climate policies and action,]

[Also reaffirming the need for [developed country Parties][Parties included in annex Y] to provide new, additional, adequate and predictable financial resources, including financial resources for the transfer of technology to and capacity-building in [developing countries][Parties not included in annex X] for addressing mitigation and adaptation needs and complying with their obligations under this agreement, while ensuring a balanced financial resources allocation between adaptation and mitigation,]

[Recognizing that all Parties are responsible for the effective and efficient provision and use of support, and that finance, technology development and transfer and capacity building are connected and should be treated holistically,]

[Further recognizing that climate finance is flowing and will continue to flow, that growing the base of donors, the enhancement of enabling environments and efficient deployment of support and the leveraging of private sector investment, is critical to catalysing the transformational change required in our common effort towards the objective at Article 2 of the Convention,]

[Recognizing the particular challenges facing small-island developing States and least developed countries,]

[Recognizing the growing existential threat posed by the impacts of climate change to low-lying small island nations,]

[Recognizing that the lower the greenhouse gas stabilization level achieved, the lower the consequent impacts of climate change,]

[*Stressing* that all actions to address climate change and all the processes established under this agreement should ensure [a gender-responsive approach] [gender equality and intergenerational equity], take into account [environmental integrity] [the protection of the integrity of Mother Earth], and respect human rights, the right to development and the rights of [youth and] indigenous peoples, [as well as the just transition of the workforce and the creation of decent work, in accordance with nationally defined development priorities and strategies,]]

[Parties should ensure in all climate change related actions full respect to all human rights]

[*Recognizing* that all actions on climate change shall significantly contribute to the post 2015 development agenda of the United Nations with a particular focus on human rights, good governance, gender equality and the needs of particularly vulnerable groups,]

[*Acknowledging* the importance of promoting a just transition of the workforce and the creation of decent work and quality jobs, in accordance with nationally defined development priorities and strategies,]

[*Reaffirming* that responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impacts on the latter, taking into full account the legitimate priority needs of [developing countries][Parties not included annex X] and their right to equitable access to sustainable development and for achieving economic growth and the eradication of poverty,]

[*Also reaffirming* that all [developing countries][Parties not included annex X] need access to the resources required to achieve sustainable social and economic development and that, in order for [developing countries][Parties not included annex X] to progress towards that goal, their energy consumption will need to grow, taking into account the opportunities for achieving greater energy efficiency and for reducing greenhouse gas emissions, including through the application of new technologies on terms which make such an application economically and socially beneficial,]

[*Recognizing* that actions to address climate change simultaneously contribute to the attainment of the highest possible level of health and that climate change policies and health policies should be mutually supportive,]

[*Option (a): Recognizing* that action / cooperative action by and among subnational authorities, intergovernmental organizations, civil society, indigenous peoples, local communities, the private sector, financial institutions and Parties can catalyse and significantly enhance the impact of policy implementation by Parties in reducing emissions, reducing vulnerability and building resilience to the adverse effects of climate change,

Option (b): Recognizing that the implementation by Parties in reducing emissions, reducing vulnerability and building resilience to the adverse effects of climate change can be strengthened by cooperative action by and among subnational authorities, intergovernmental organizations, civil society, indigenous peoples, local communities, the private sector, financial institutions and Parties,]

[*Recognizing* that fulfilling the ultimate objective of the Convention will require strengthening of the multilateral, rules-based regime under the Convention,]

[*Pursuant* to the mandate adopted by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,]

[*Recalling* the Vienna Convention on the Law of Treaties,]

[Have agreed to further enhance the full, effective and sustained implementation of the Convention as follows] [Have agreed as follows] [Have agreed to this protocol, another legal instrument, or an agreed outcome with legal force with the aim of furthering the implementation of the Convention and its objective][Pursuant to decisions 1/CP.17, 2/CP.18, 1/CP.19, and 1/CP.20, have agreed to further enhance the full, effective and sustained implementation of the Convention as follows]:]]

B. *Definitions*

[For the purposes of this agreement the following terms are defined:]

- [The “governing body” means the governing body of this agreement;]
- [Party;]
- [“Emission reductions” means the sum of all reduced emissions and increased carbon stocks;]
- [“Convention” means the United Nations Framework Convention on Climate Change]
- [“Present and voting” means...]

- [“Subsidiary Body” means...]
- [“Party” means a Party to this Agreement]
- [“Party included in Annex X” means a Party included in Annex X to this Agreement]
- [“Party included in Annex Y” means a Party included in Annex X to this Agreement]
- [“Party in Annex Z / III” means a party in Annex Z / III to the Agreement]
- [(Other definitions as needed.)]

{The following proposals for annexes are intended to be placed after section M:}

[Annex X

List of Parties, to be agreed in Paris based on criteria related to evolving emissions and economic trends; to be updated regularly on the basis of such evolving information]

[Annex Y

List of Parties, to be agreed in Paris based on criteria related to capability and evolving economic trends; to be updated regularly on the basis of evolving information]

[Annex Z / III]
